THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No.2523 of 2007

Date: 12-02-2007.

Between :

Bhagtavan Sri Balasai Baba Central Trust,
Kurnool,
Rep. by its Managing Trustee.

.....Petitioner

And

The Deputy Commissioner of Income Tax, Central Circle-6,
Hyderabad & others.

.....Respondents.

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THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

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ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

Heard learned Counsel for the parties. With their consent, the Writ Petition is being disposed of at this stage.

The controversy is that an appeal is pending before the Tribunal. During the pendency of appeal, an application came to be filed for grant of stay. Since appeal is pending and there are questions which are to be decided by the Tribunal, therefore, we direct that on payment of half of the liability within a period of six weeks from today, there shall be stay of collection of disputed tax. For six weeks, there shall be an unconditional stay and the stay shall continue till disposal of the appeal, provided the amount is deposited within six weeks. The deposit of amount shall be without prejudice to the rights of the petitioner in the

appeal. The Tribunal may also consider the request of the petitioner for an early hearing of the appeal.

Writ Petition is disposed of accordingly. No costs.

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BILAL NAZKI, J

12th February 2007.

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ajr NOOTY
RAMAMOHANA RAO, J